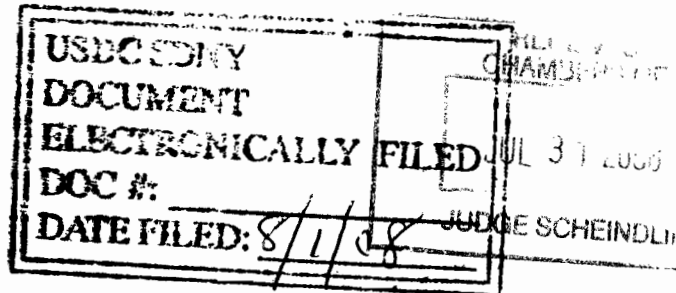


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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

National Tobacco Company, LP

Plaintiff,

-against-

Timothy Parker and Xavier Mosley p.k.a.
Blackalicious, Raymond Riley p.k.a. Boots
Riley, Solomon David and Marlon Irving,
p.k.a., Lifesavas,

Defendants.

Case No. 08 CV 03383 (SAS)

**STIPULATION OF DISMISSAL OF ACTION
WITH PREJUDICE**

WHEREAS Plaintiff National Tobacco Company LP ("NTC") by its attorneys Baker & McKenzie LLP, and Defendants Timothy Parker and Xavier Mosley, p.k.a. Blackalicious, Raymond Riley p.k.a. Boots Riley and Solomon David and Marlon Irving, p.k.a. Lifesavas ("Defendants") (collectively the "Parties"), by and through their attorneys, have settled fully and finally this matter, as reflected in formal settlement papers entitled "Confidential Settlement Agreement and Mutual Release" ("the Settlement Agreement");

WHEREAS, pursuant to the terms and conditions of the Settlement Agreement and Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, the Parties desire a


dismissal with prejudice of all claims in this litigation;

NOW, THEREFORE, IT IS HEREBY AGREED AND STIPULATED AS
FOLLOWS:

That the above-captioned action be and hereby is dismissed with prejudice,
pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii), with each party to bear its own
attorneys' fees and costs.

Dated: July 30, 2008


Respectfully submitted,


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Attorneys for Plaintiff
NATIONAL TOBACCO COMPANY, LP


Dated: July 30, 2008

Respectfully submitted,


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RAYMOND RILEY P.K.A. BOOTS
RILEY, SOLOMON DAVID and
MARLON IRVING, P.K.A., LIFESAVAS

SO ORDERED, this 31 day of July, 2008


HON. SHIRA A. SCHEINDLIN, U.S.D.J.